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LOYOLA UNIVERSITY CHICAGO

UNDERGRADUATES' UNDERSTANDING OF SEXUAL CONSENT

A THESIS SUBMITTED TO
THE FACULTY OF THE GRADUATE SCHOOL
IN CANDIDACY FOR THE DEGREE OF
MASTER OF ARTS

PROGRAM IN SOCIOLOGY

BY
MELISSA KINSELLA
CHICAGO, IL
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THESIS
UNDERGRADUATES' UNDERSTANDING OF SEXUAL CONSENT

Introduction

Sexual consent is hardly straightforward. How actors define it, why they are using a particular definition, and the consequences of that definition all matter. Coverage in the mass media and dissemination of information about sexual health within higher education institutions tends to focus on what consent is *not*. Consent is not coercive and cannot be given while intoxicated. Moreover, when conversations about consent are affirmative, they are usually framed in a highly legal manner. Taken together, these observations suggest that sexual consent is divorced from desire, and is made in a rational-legal framework. So, *what is consent, not according to the law, but to ordinary people?* What does it mean to young adults on college campuses? And how do they reconcile what they are being told about consent from larger institutions with what they know and practice? Using face-to-face interviews, this study investigates how current college students are navigating and making sense of sexual consent. I identify students' communication and interpretation of sexual consent as they navigate sexual situations. From that analysis, comparisons are drawn to higher education's institutional definitions of sexual consent.

Literature Review

Social Policy and Sexual Consent

In 2014, the Obama White House launched its public awareness campaign to end sexual

assault on college campuses, entitled It's On Us. One of the pillars of that campaign is The Pledge, which reads "To recognize non-consensual sex is sexual assault. To identify situations in which sexual assault may occur. To intervene in situations where consent has not or cannot be given. To create an environment in which sexual assault is unacceptable and survivors are supported" (It's On Us 2014). A large portion of the pledge and the initiative have been orientated around the issue of sexual consent. The initiative's definition of consent is outlined on its website; however, that is not an indication that sexual consent is occurring in that fashion. As researchers have illustrated, consent is a complex issue (Beres, Herold, and Maitland 2004; Beres 2007; Humphreys 2007; Jozkowski and Peterson 2013; and Jozkowski, Peterson, Sanders, Dennis, and Reece 2014). But, consent can and should be studied. Recent policy assumptions about consent negotiation do not necessarily reflect reality. How policymakers understand consent might not be how young adults understand and engage consent. There is a disconnect between the policy and students' experiences of indicating and interpreting sexual consent practices. We can see this contrast in part by examining what scholarship has demonstrated about how people communicate desire.

Communicating Desire

Interest in sex is communicated in indirect ways. This is no different for the hook-up culture that has become normalized as the main form of socialization on university campuses (Bogle 2008; Powell 2010). Bogle's (2008) interviews with college-aged adults highlight the fact that interest in hooking-up is mainly communicated through non-verbal cues, such as eye-contact or paying close attention to one specific person. Beres (2010) also witnessed that sexual interest is largely communicated non-verbally in tandem with tacit knowledge. Students expressed the

notion that "you just know" when someone is interested in engaging in sexual behavior (Beres 2010:5). When further pressed, students talked about the context of the situation and past trial and error with sexual encounters informing future sexual encounters (Beres 2010). The heavy reliance on similar interpretations of verbal cues is problematic. It seems that people are relying on interpretations and definitions they think everyone else recognizes in a similar manner. Yet, it is difficult to believe that everyone's definition or interpretation of a situation is similar; the assumption of common understandings is one way in which – including lack of consent – can occur.

Consent is a "gendered practice" (Powell 2010: 126). Not only is gender produced within everyday interactions, people use their beliefs about sex and gender to frame their interactions with people (West and Zimmerman 1987; Ridgeway 2011). As Ridgeway (2011) describes, one acts and expects others to act based on shared understandings of gender. These are things we think "we all know" (Ridgeway 2011: 56). These gendered understandings inform face-to-face sexual situations (West and Zimmerman 1987). Gendered social norms prescribe that men actively seek sex, while women fulfill the role of sexual gatekeepers (Powell 2010; Jozkowski and Peterson 2013; Jozkowski et al. 2014). This narrow view of masculinity both enables and constrains people's actions within sexual interactions (Pascoe 2012). Consent is informed by these gendered meanings and is enacted both at the interactional and institutional levels (West and Zimmerman 1987). Sexual encounters are situated within the larger context of the university setting, which itself is a gendered and sexualized organization (West and Zimmerman 1987; Acker 1990; Schilt and Westbrook 2009).

In 1996, a college in Ohio, Antioch College, tried to get students to engage in active consent procedures (Antioch College 1996). Part of Antioch's policy required students to ask for consent to begin engaging in each new sexual act (Antioch College 1996). For many people, talking about sexual consent during a sexual encounter "ruins the moment" or is considered "awkward" (Humphreys and Herold 2003:41-44). Canadian college students' responses to the sexual consent policy put in place at Antioch College reaffirm that talking about consent while engaging in imitate behavior is not normative (Humphreys and Herold 2003). Students remarked that implementing this policy would reduce the pleasure of their sexual encounters because an important part of these encounters was impulsivity and recklessness (Humphreys and Herold 2003). For students, impulsivity and an uninhibited nature meant romance (Humphreys and Herold 2003). Students' reactions are especially noteworthy given that the White House's public awareness campaign's definition of consent in 2014 is similar to the policy previously put in place in Antioch College in 1996. Students' conceptualizations of romance with getting "caught up in the moment" is perhaps not surprising given media portrayals of intimacy. However, such portrayals are concerning if it is the only way young adults understand their sexual encounters. The hook-up script thus constrains indication and acknowledgment of sexual consent.

Campus Health Education and Sexual Consent

Health education on college campuses regarding sex continues to reinforce the gendered and heteronormative dichotomy that one partner asks for consent and the other grants it (Beres 2007; Powell 2010). This "active-passive divide" is harmful for many reasons (Powell 2010:64). It can constrain young adults' ability to actively negotiate sexual consent. Framing consent in a question and response manner only limits young adults' understanding and enactment of consent.

There also appears to be gender differences in initiating and responding to sexual activity. Researchers found that men were more likely to indicate consent by telling their partner that they were "going to engage in sexual activity with them" (Jozkowski et al. 2014:910). It is interesting to note that this framing is not a question, but rather a statement. This statement appears to tell the partner what is going to happen and leaves little room for their input. On the other hand, women communicated consent by responding yes when asked (Jozkowski et al. 2014:910). Women vocalized their response, but only when asked. It is not clear what would happen if these women were not asked. Women's verbalization may be influenced by the "dominant risk-avoidance discourses" that are largely taught in sexual assault prevention programs on college campuses (Burkett and Hamilton 2012:819). Colleges largely take approaches such as "consent-promotion programming," "risk-reduction programming," and "bystander-intervention programming" (Jozkowski 2015:21). "Consent-promotion programming" encourages young adults to talk about consent by largely sexualizing the subject, "risk-reduction programming" reminds young people to monitor their alcohol intake, and "bystander-intervention programming" encourages young people to watch out for and to intervene in a situation where sexual assault may occur (Jozkowski 2015: 21). Rather than discussing how women can negotiate wanted sexual activity, these education programs largely focus on the "just say no" approach to unwanted sexual advances (Burkett and Hamilton 2012). These programs do not teach men or women how to talk about consent and desire, but more importantly they do nothing to make these conversations seem normal. If anything, the programming seems to further perpetuate the idea that talking about sex, intimacy, and desire are wrong or at least awkward.

While college students seem to recognize and define consent as "explicit communication of agreement," they do not seem to carry that definition into their own experiences (Jozkowski et al. 2014:912). Students acknowledge situations where explicit consent is necessary. For instance, there seems to be agreement that newer relationships require more verbal consent (Humphreys 2007). Yet, they also comment that such verbal communication "ruins the mood" and largely use non-verbal cues to interpret consent from their sexual partners (Humphreys and Herold 2003: 41; Beres 2007; Humphreys 2007; Jozkowski et al. 2014). Additionally, the hook-up culture of college campuses includes the presence of alcohol, which no doubt influences the ability of an individual to interpret subtle nonverbal cues (Bogle 2008). All of this is concerning given the connection between sexual consent and sexual assault. For example, the majority of campus women who experience sexual assault are victimized by an acquaintance, perhaps their hook-up partner (Karjane, Fisher, and Cullen 2005; Sinozich and Langton 2014). Women might be reluctant to categorize their experience as sexual assault if they blame themselves because their experience does not necessarily follow the "rape script" (Kahn and Mathie 2000; Ryan 2011). Women may reflect upon their experience and believe that going home with someone automatically gave their consent, or that their consent for one sexual activity transfers to another (Burkett and Hamilton 2012). These findings do not address how sexually active undergraduate students are indicating and acknowledging sexual consent within their sexual encounters. Further, they do not speak to how students' understandings of consent compare with higher education's institutional definitions of sexual consent.

Methods

I was interested in understanding how students indicate and acknowledge sexual consent within their sexual encounters. To do this I used semi-structured interviews with 23 undergraduate students currently enrolled in fall 2016 and spring 2017 in a private, Midwestern university. I utilized a mixture of convenience and purposive sampling. My sampling was purposeful in that I was seeking undergraduate students who self-identify as sexually active who are at least 18 years old. The definition of sexually active was defined by the participant and their participation was voluntary. A recruitment announcement was sent to professors of Sociology and Women's Studies and Gender Studies undergraduate classes for fall 2016 and spring 2017. I asked professors to post the recruitment announcement about the study on their class Sakai site. Many of the classes offered in these departments meet the core requirements of the university and thus have large enrollments that reach a range of students. The final sample contained students from a diverse set of majors. I also asked the Departments of Sociology and Women's Studies and Gender Studies to send the announcement via email to their majors and minors. Additionally, in the recruitment announcement, I made a note that anyone interested in participating should pass along information about the research study to their friends. Interested students then contacted me directly via my institution's email and a mutually agreed upon time to interview was set. A confirmation e-mail with the date and location of the interview was sent to the participant. This e-mail also included a copy of the informed consent form to read over, but not sign.

Before any data was collected, approval from the institution's Institutional Review Board was gained. Since the interviews were face-to-face I could not promise anonymity, however, I

held strict confidentiality. No identifying information was retained except for the signed consent form, which was securely stored. Participant's names do not appear on the recording. In the transcription process, any identifying information that the participant referred to was changed to protect their confidentiality. Subjects were given pseudonyms when referred to in writing. Audio files were kept on my personal password protected computer in a password-protected file. Interview transcripts were also stored on my password protected computer in a password protected directory. Audio files were deleted immediately after transcription. Transcriptions will be destroyed after 5 years of the completion of the master's thesis.

I used face-to-face interviews because of the sensitive nature of the topic. It was my job as the researcher to facilitate a confidential, non-judgmental, open space for participants to candidly share their experiences and interpretations of those experiences. This was in part facilitated by the fact that interested participants were people likely to feel passionate about the topic of consent and had most likely processed any events surrounding the topic. However, it was still imperative that within our time together I foster enough of a relationship to elicit descriptions and details from students about their experiences. The interview setting helped foster this interaction to a certain degree. This setting and the amount of detail that I was asking from students made it difficult for students to make-up stories regarding sexual encounters in the moment. The interviews lasted between 40 minutes and two hours. All interviews were conducted in private enclosed rooms on the university's campus. Interviews were audio-recorded.

Interview questions were designed to encourage students to talk about their own experiences with consent and their interpretations of those experiences. Interview questions asked participants about their definitions of sexual consent and how their definitions compared to

their friends. I questioned participants about which sexual acts require consent and why. I then requested that students reflect upon their own experiences with consent and share those with me. I inquired how they indicated consent and how they knew their partner had acknowledged their consent. A complete list of interview questions is included in Appendix A. I was careful not to prime students' minds by listing or offering examples of sexual consent. For example, I purposefully avoided language such as “past conversations about consent” as not to influence the participant’s response. Instead, their experiences informed and drove the interview. The use of simple follow-up questions asking participants to further elaborate encouraged more and more detail from students.

After answering the interview questions about consensual sexual experiences, participants were asked to read two vignettes and answer a series of questions regarding each vignette. The vignettes were created portraying two heterosexual individuals, Olivia and Ethan, leaving a party together and returning to Ethan’s dormitory. A purposefully ambiguous sexual situation then occurs between the two individuals. The use of a vignette in this instance provided an opportunity for participants to address non-consensual, gray area sexual relations without discussing their own experiences (Finch 1987). One of the strengths of a vignette is its ability to create distance between the participant and the hypothetical situation (Finch 1987). This is especially important for sensitive topics such as sexual behavior.

Participants were handed the first vignette and given a few moments to read over the situation. After reading the first scenario, students were asked whether a consensual sexual experience had occurred and to explain their answer. Respondents were questioned as to what else they would like to know about the situation and why that mattered. Then they were handed

the second vignette and given time to read over the situation. The same questions as the first vignette were posed to respondents: whether a consensual sexual experience had occurred and why or why not. Participants were also asked what else they would like to know about the situation and why that mattered. The only difference between the two vignettes was the addition of alcohol. In the first vignette there was no mention of alcohol. The second vignette indicated that both Ethan and Olivia had been drinking and were intoxicated. The vignettes are included in Appendix B.

Table 1. Respondents' Self-Identified Demographic Characteristics

Pseudonyms	Age	Gender Identity	Sexual Orientation	Race	Current Relationship Status
Priscilla	18	Woman	Pansexual	Biracial/Mixed	In a relationship
Sydney	18	Woman	Bisexual	Caucasian/White	In a relationship
Lydia	18	Woman	Bisexual or Pansexual	Caucasian/White	In a relationship
Makenna	19	Woman	Straight/Heterosexual	Black/African American	In a relationship
Tess	19	Woman	Bisexual	Caucasian/White	In a relationship
Zoe	18	Woman	Straight/Heterosexual	Biracial/Mixed	Single
Theodore	20	Man	Straight/Heterosexual	Caucasian/White	In a relationship
Lauren	19	Woman	Bisexual	Caucasian/White	Single
Emerson	20	Man	Straight/Heterosexual	Biracial/Mixed	Single
Jaylee	20	Woman	Straight/Heterosexual	Asian	Single
Malia	20	Woman	Straight/Heterosexual	Black/African American	In a relationship
Keira	21	Woman	Straight/Heterosexual	Caucasian/White	Single

Eve	20	Woman	Lesbian	Caucasian/ White	In a relationship
Katarina	19	Woman	Bisexual	Caucasian/ White	Single
Rachel	22	Woman	Straight/ Heterosexual	Caucasian/ White	In a relationship
Dylan	18	Man	Straight/ Heterosexual	Caucasian/ White	In a relationship
Emma	22	Woman	Straight/ Heterosexual	Caucasian/ White	Single
Ryan	21	Man	Straight/ Heterosexual	Caucasian/ White	Single
Todd	21	Man	Straight/ Heterosexual	Caucasian/ White	In a relationship
David	21	Man	Straight/ Heterosexual	Hispanic/ Latino	In a relationship
Stephanie	21	Woman	Straight/ Heterosexual	Asian	Single
Isabella	28	Woman	Straight/ Heterosexual	Hispanic/ Latino	Single
Skye	19	Woman	Straight/ Heterosexual	Black/ African American	In a relationship

Sample

Table 1 shows the distribution of sample respondents according to various demographic characteristics. The sample consisted of twenty-three respondents. The majority of participants who were interviewed were women, almost 74%. When asked for their gender identity respondents remarked female and male. However, given standard conventions between biological sex and gender identity, in this thesis I refer to students as men and women. This percentage of women respondents is only slightly higher than the university's percentage of currently enrolled undergraduate women. The majority of participants were between the ages of 18 and 21 years old. Roughly 70% of participants were heterosexual. Fifty six point five percent

of respondents were Caucasian, which is reflective of the racial distribution of the university. The majority of participants were currently engaged in a dating relationship: 56.5% of participants were in a relationship at the time of the interview.

After each interview I spent time writing about my reactions to the interview. I wrote up personal notes, theoretical notes, and methodological notes (Corsaro 1981). Within the personal notes, I wrote about students' reactions to my questions and their expressions when they were telling their own stories. I made notes of facial expressions, tone, any awkward or nervous laughter or gesturing. For this research especially, these non-verbal communications lend insight into student's interpretations of their experiences. After transcribing the data, I began to analyze and search for patterns. I coded for themes using the consent requirements pulled from the university's sexual consent policy. I coded definitions and enactments of sexual consent, such as the use of verbal communication and the type of language and phrasing that was used. I coded for who communicated about consent, how they communicated consent, and when consent was exchanged. For instance, whether consent went back and forth at each increasing intimate behavior, or if consent was discussed once and by only one partner. I wanted to tease out the specifics about verbal communication of consent to understand if consent was discussed, or if it was assumed for the encounter, and if it was assumed, why was it assumed. I also searched for the use of non-verbal communication, what it looked like, and how and when it was used as well. The preliminary coding system is included in Appendix C.

Given the sensitive nature of the topic, I acknowledged at the end of the interview that our conversation may have brought up uncomfortable or unresolved feelings. A resource handout sheet listing available counseling resources, both on-campus and off-campus, was given

to all participants. A copy of the institution's consent policy was also given to all participants. There was a script in place to present this information uniformly to all participants. Additionally, every attempt was made to conduct interviews when in-person counseling sessions were available on-campus at the university's Wellness Center.

Students' Understandings of Sexual Consent

In this next section, I discuss how students are understanding consent. I begin with discussing how consent entails mutual, on-going communication, which is indicated both verbally and non-verbally. Though students characterized their on-going continuation of consent in different ways, students' responses to both my questions and the vignettes show how on-going communication is vital to a consensual sexual encounter. Consent has to be actively obtained and maintained by all the parties involved in the sexual encounter. Parties have to both communicate consent and respond to each other's consent. If consent is not maintained, then it is revoked. After discussing students' understandings, I address how higher education is talking about consent. I engage with one sexual consent policy from the same university where my participants were currently enrolled. I draw similarities and differences between students' interpretations of consent in their own sexual behavior and institutional definitions of consent.

Mutual On-Going Enjoyment

Respondents' definitions encapsulate the idea that consent is enacted until stated otherwise. When asked to define sexual consent, respondents described their definitions and enactments of consent in terms of mutual, on-going communication. Consent is maintained with "ongoing enjoyment signals." One example of an enjoyment signal is the sustained interaction and agreement by both parties. One party cannot force another party to participate in the sexual

encounter. For example, Tess and Lydia used the terms "enthusiastic" and "exciting" in their definitions of sexual consent, meaning that the sexual act or activity was not coerced in any way. When I asked Tess what she meant by "enthusiastic" she responded, "Ummm, not coerced in any way. Like, it's given of your own free will." The consensual agreement to continue to engage in sexual behavior should not be forced. Similarly, Lydia discussed how mutual engagement within a sexual encounter was the lack of signals trying to put an end to the activity, "So like, if you go into kiss someone, like, they're kissing you back and like not pulling away. If like you're going to go down on someone, they're like, like their body language is like open to you and they're not trying to push you away." To be enthusiastically engaged in sexual activity, at least according to these two respondents, is to not stop the progression of sexual activity nonverbally by either pulling away from a partner or pushing a partner away. Students' meanings of agreement within a sexual encounter stemmed, in part, from a lack of force within the encounter.

Enjoyment signals need to be reciprocated within the interaction to sustain the sexual encounter. Within respondents' reactions to the vignette scenarios, students mentioned a lack of reciprocity between Ethan and Olivia. A consensual encounter should include some form of reciprocity of sexual behavior between both parties. Within the vignette it seemed to respondents that Ethan was largely leading the activity. After reading the vignette, Eve even remarked that Olivia seemed like a sexual object for Ethan's pleasure rather than an actor in the sexual encounter. Rachel expressed how Olivia does not reciprocate Ethan's behavior by doing anything to signal her enjoyment:

. . . So he continues kissing her and reaches to pull up, or pull her dress up, so even before I read the next sentence I was expecting, hopefully, that the next sentence would be something about how Olivia did x, y, z like, you know like . . . You know like

reciprocated like pulled off Ethan's shirt or like did something so I was expecting the next sentence to be an action like Olivia doing an action whether it's verbal or physical.

Other respondents shared a similar explanation that nowhere in the vignette is it stated that Olivia kisses Ethan back. For example, Malia mused, "Mmm . . . it didn't say that . . . I find it interesting that it didn't say like whether or not like Olivia umm like welcomed the kiss." Keira also brought up Olivia's response to the kiss, "Umm . . . let's see. Yeah, and like how, how exactly like the kiss played out like I don't know how cuz like when someone leans in to kiss you, you can't always like stop it. [*Laughs.*] So, I don't know if she really had the opportunity to." Ryan mentioned that if he were in the situation he would want to know how Olivia was kissing him back. Respondents also wanted to know about Olivia's involvement during sexual intercourse. Tess wondered, "Yeah, I mean, I guess the other thing that strikes me is like they have intercourse, but how involved was she in it?" David also wondered if Olivia is enjoying herself, "And umm, I'm just looking at it as, like is she even enjoying it? Or is she just like silent the entire time? Like what is this experience like?" Respondents were not specific about what form of on-going enjoyment signals they wanted, but noted that it did not seem that Olivia had given any form of affirmation, which they identified in their definitions and indications as necessary for a consensual encounter. Students' definitions and indications of consent recognize that reciprocation is important for both parties to indicate consent.

At any sign of uncertainty, whether verbal or non-verbal, consent is absent from a sexual encounter. When a partner verbally expresses any hesitancy about moving forward consent for the activity ends. As Lydia described, "Also, obviously, they're not saying like, 'I don't know about this' cuz that's where you stop and like that's not consent anymore." When a partner verbally expressed hesitancy, respondents recognized that consent for the activity had ended.

Interestingly, nowhere in respondents' definitions is it discussed when consent began for a sexual act or activities. The emphasis is on when consent ended. Ryan's definition captures this idea of knowing when consent had ended, as opposed to when consent began for an encounter, "Or if she says something, like anything along the lines of 'I'm not ready for this' or whatever . . . Then that's where like, the consent is not consensual anymore."

Consent also ends for a sexual encounter if there is any non-verbal communication of uncertainty. Time and again respondents pointed out the line "Olivia visibly stiffens, but remains silent" as their reasoning why a consensual sexual experience had not occurred in the first vignette situation. Those that did not specifically pick out that line within the vignette cited the silence and stiffness individually. The term "stiffens" played such a large role that when some respondents were initially asked about what else they would like to know about the situation to be able to define it as consensual or non-consensual, they indicated that they did not need to know anything else because the stiffening alone told them what they needed to know.

Respondents indicated that they did not need both verbal and non-verbal communication to end a sexual encounter. Either verbal or non-verbal communication showing uncertainty is enough to stop consent for the situation. In the vignette, respondents identified Olivia's body language as visibly uncomfortable. Priscilla remarked that Olivia was clearly saying no by stiffening, "But umm uh the part where it says Olivia visibly stiffens umm, but remains silent umm . . . that's not . . . that's not a consensual experience umm even if there is an absence of a verbal no because uh it's not an enthusiastic response umm." Likewise, when she was explaining her definition of consent Emma reflected:

But they don't also want to come out and say it, so I also think, most people should have like a general understanding to like read someone like how they're feeling and then take that and think like okay, this person probably doesn't want to have sex with me right now.

Students felt like there should be a general understanding of certain non-verbal cues, such as the belief that Ethan should have picked up on Olivia stiffening and interpreted that as consent ending for the sexual encounter. Olivia's lack of a verbal no would not necessarily be a problem if the encounter was not being questioned as consensual. However, when the consensual nature of the event is called into question, then the lack of any verbal communication is scrutinized.

Verbally and Non-Verbally Obtaining and Maintaining Consent

Students talked about obtaining and maintaining consent in different ways. Consent is actively obtained and maintained within a sexual encounter using both verbal and non-verbal communication. Consent is obtained verbally through explicit questions and statements and less explicit checking in and suggestions of sexual behavior. One form of employing consent is to explicitly ask for "sex" from a partner. Respondents said that they indicated consent by asking their partner if they wanted to engage in sexual activity. As Priscilla explained, "Uh, I . . . I explicitly ask. Like, do you want to have sex? Like that's what I ask." Unlike Humphreys and Herold's (2003) finding that asking for consent verbally is at odds with normative sexual behavior, the responses from my participants indicate that they do verbally ask for sex. However, explicitly asking is situational. Priscilla elaborated that she only explicitly asks if she and her partner are not currently engaged in physical behavior. Explicitly asking happens when there is no prior physical engagement. Malia described how the question is posed and then sexual activity is instigated, "Umm, sometimes just like, it can be like in a question, like, 'oh do you want to have sex?' or 'oh I want to have sex' and then it's like initiated." Respondents also

express interest in sex through direct statements such as "I want to have sex." Again, these statements are largely done before any sexual activity has begun.

Respondents express less explicit verbal consent in the form of checking in. In this type of consent, respondents enact consent through their verbal responses to their partners' questions.

As Makenna said, "So, I've always told him like, he'll ask me, are you okay with this are you okay with this, and I'll tell him, yes or no." Most often these questions take a form of 'is this okay?' As Rachel explained, "Mmm, yeah, a, a lot of times my partner asks 'is this okay?' so like even if we start things and I ... am just like physically consenting in my definition of like touching and moving things along then you know, I'll consent because I'm asked, you know?"

Makenna and Rachel both indicate consent by responding to their partner when prompted.

Unlike Makenna, however, Rachel also spoke about how she explicitly asked her partner about sex. Respondents noted that checking in was specifically important before penetrative vaginal sex. For example, Skye said, ". . . and like before you're doing anything penetrative be like 'are you comfortable with this?' Like explicitly ask with anything like that." Todd voiced a similar response, "But like some kind of, like, most of the time even some kind of verbal confirmation of like, 'hey, like are you okay?' or like you know, like 'is this comfortable?' or something before things kind of start the full things like actual penetration and the actual sex."

Respondents also use the term "can I?" to express their consent. Eve discussed that in addition to non-verbal cues she indicates her consent by seeking the permission of her partner. She shared, "Like, 'Can I touch you?' or 'Can I do this?' or it's always, it starts with 'Can I?'" Katarina seeks permission in a similar fashion. However, her questions state both what she would like her partner to do in addition to seeking permission to touch her partner. As Katarina

explained, "Umm saying 'can, can you do this?' or 'Can I do this?'. . . Everything was, everything was that." Respondents' indications of consent show how the person initiating sexual activity asks for consent. As Lauren demonstrated, "Like, if you're, if it's kind of like where you want to touch the other person then I feel like you should ask, but if they're about to touch you then they should ask." Rachel both gives her consent and communicated her interest in engaging in sexual acts through asking her partner about their interest, "And when I ask 'do you want to have sex?' that, I think that it's semantically assumed that I'm asking because I want to have sex, so that's another way I give consent." It is assumed by respondents like Rachel that if a partner is asking or suggesting sexual activity then they are interested in engaging in said activity. Indeed, respondents seem to support the notion that whoever is going to perform the behavior asks for consent.

Some respondents want verbal on-going enjoyment signals from their partner. Theodore explained, "I mean for me it's a verbal yes to a verbal no, and there's just nothing more, nothing less." Others, such as Rachel, expressed similar ideology that consent has to be verbal:

Sexual consent immediately I think of the need for each person in the sexual encounter to just say yes to having you know, that encounter or behavior. And I think, like the best way to you know say yes, is to ask like a clear and direct question, like, "Are you okay with us doing x, y, z?" Or us, you know . . . I don't know just like, "having sex in general?" Or like however you want to say it I think it's important that you ask, like, "is this okay?"

Both men and women respondents identified their definition of consent as their partner's verbal response. Dylan described his definition as simple as "saying yeah." He went on to elaborate, "To like, something, like you ask, like 'Oh, do you want to do this?' like, 'Are you okay with this?' Within respondents' definitions of consent, verbal indication of consent was largely framed in a question-answer format. Responding to a partner's indication of consent is reminiscent of

heteronormative gender roles that one person asks for consent and another grants it (Beres 2007). However, the men and women who listed a necessary verbal indication of consent in their definitions, did not seem to be following supposed gender roles. Within their definitions, both women and men described initiating and responding to sexual behavior.

However, other students told me that they did not need explicit communication of ongoing enjoyment and somewhat resented an expectation of necessary explicit communication. Students seemed to recognize an expectation to include verbal indicators within their definitions of consent and addressed why their definition and indication of consent lacked such a verbal component. As Lydia explained:

Like, I understand, like it would be really easy if you ask every time you're about to move forward, but that's not how it works. So, consent, I think can be like unsaid like ummm just you know like body language and so that's why I mean like excited like ummm, if the other person is not like obviously ready and like willing to do whatever is like about to happen then that's like not consent.

Respondents explained that the expectation that consent should entail some kind of verbal component did not always seamlessly fit into how sexual behavior unfolds in reality. Todd recognized the assumption that consent should be "straight forward." But his response indicates how a verbal yes/no statement, at least in his experience, is rarely the case, "Umm, yeah, that's [*sighs*] it should be like straight forward, like, you know yes, and no, but like, that's never, I feel like that's almost never the case." Respondents also discussed expectations of consent being verbal as well as justifying their reliance on non-verbal consent. As Keira stated, "It, probably, could and probably should be verbal, but also actions can speak uhh as well." Within definitions and their own experiences, many respondents discussed non-verbal indicators of consent.

On-going enjoyment signals were also expressed non-verbally through the continuation of the sexual encounter. Several respondents made note of continuing sexual activity within an encounter without stopping behavior in their definitions of consent. Todd's definition of consent captures this idea: "Pretty much just like someone . . . basically both parties continuing with actions without kind of uh putting any stop or like saying basically stopping the action, like whatever, so like the two parties going forward and with neither of them kind of stopping whatever's going on." Respondents, such as Sydney, identified the continuation of sexual acts as a form of consent, "Umm just like continuing what we were doing or like ummm, yeah, just like continuing that er like if I don't want to do something then I'll say no." Respondents continue the progression of physical sexual behavior until a proverbial uncle is called by either of the parties involved in the sexual activity. This is also reflected in respondents' definitions of consent. Further, respondents identify the progression of sexual acts as a form of consent. Emerson stated very clearly, "Umm, I guess just like, umm, reciprocating like with actions. So like, I'll be with like my partner or something and like something will start amping up more and more and then I'll reciprocate back." Reciprocation is important for both parties to indicate consent. A partner's reciprocation of activity causes the continuation of sexual activity, which in turn causes the progression of sexual acts. All of these enacted behaviors indicate consent.

Continual sexual activity within an encounter is sustained and supported by the lack of what Keira described as "non-verbal no's," including, ". . . hesitating or just like, not like . . . if you like stop moving or stop reciprocating then that's like a no . . ." This response is similar to Beres' (2010) participants' refusal of sex. Both men and women used non-verbal behaviors to gauge willingness to engage in sexual behavior (Beres 2010). Engagement in some kind of

sexual behavior is also supported by non-verbal cues such as taking off clothes, getting a condom, kissing, smiling, and talking in between acts. These are considered signals of reciprocation from sexual partners. It prompts respondents to continue the physical progression of sexual events. Lauren expanded on what she means by taking off her clothes within an interaction:

Yeah. Like if you're making out with somebody and they kind of go to like, umm, like for example, a lot of times people kind of like, take off their shirt and then like in response I might take off my shirt, so that's kind of saying like, "this is good what's going on" . . . Umm, I'm okay with this. Like, I'm okay that you did that and now I'm kind of doing this to reciprocate almost in a way. To kind of show that I'm okay with this continuing on and getting more, like, exposed.

By taking off her clothes in response to her partner's actions, Lauren notes that when she reciprocates her partner's advances, she is signaling for the sexual activity to continue to progress.

The recognition and reliance of non-verbal cues of consent not only showed up in the respondents' definitions and enactments of consent, but they also appeared in their responses to the vignette scenarios. Respondents felt that Ethan should have recognized the stiffening as a possible rejection of consent. Lydia remarked, "And then like he kisses her and she stiffens up. Ummm, and instead of him being like, 'Do you want me to stop?' or like, 'Is this not okay with you?' Like, he should have stopped anyway, he shouldn't have to ask." David agreed, "Umm, but I think when it says that, within the vignette that Olivia visibly stiffens umm, I guess it doesn't necessarily imply that he observed her visibly stiffen, but I would say that under the condition, he did see her stiffen that I that I think that, there's no consent." Respondents seemed to be indicating a shared understanding that stiffening is a form of non-verbal communication that should have been recognized. Similar to Beres' (2010) respondents, students shared an

interpretation that stiffening was a means of communicating about sexual consent. However, unlike Beres' (2010) finding, not all of my respondents interpreted this cue similarly. Some respondents seemed to think that the "stiffening" was not a clear communication. As Todd's response illustrates, "Like, I, like I feel like the stiffening is a sign of non-consent, but at the same point it's not like any type of physical like a pushing or like a, err like a shaking the head or moving the hand, I feel like those are much more overt." Todd's response seems to suggest that there is the possibility of stiffening not being undisputedly interpreted as communicating the end of sexual consent for the sexual encounter.

Respondents noted in their responses to the vignettes where on-going engagement could and should have happened in order for a consensual sexual experience to have occurred. Olivia stiffening was one time the participants identified to have a conversation about consent. Tess indicated that "Umm, I mean Olivia's body language like when she stiffens up umm and then they, Ethan pauses, but then they continued on to have intercourse like, I feel like, her stiffening up would be a place where a conversation should have started that it didn't." Zoe confirmed, "Umm, the part where she stiffens up is where she becomes uncomfortable . . . Which is where consent is then needed and is not received." Respondents also listed the kissing as a potential place to stop the progression of sexual activity if consent was not received. Rachel pointed out that continuing kissing is an opportunity to stop the interaction:

So I think, eh, you know, it was definitely at that moment when she could have just been like, woah, like what are you doing? Like, I didn't, I don't want that. You know? Like sometimes people just get mixed signals or like, or just totally off base like I, I have the perception that that's happened, you know? You've seen it in movies and you're just like, what? I was not giving that message, you know? And that's when you would say, like, oops that was a mistake, like sorry, I, I don't feel that way, let's not do that and so then yeah, I think, that is, yeah, perhaps like that is when consent was not, I don't know. That's, that's important.

They also wanted to know more about what happened in the second to last sentence of the vignette: "Ethan pauses briefly to look at her and then they have intercourse." Participants felt as if there was something missing between "pausing" and "intercourse." As Jaylee clearly stated, "It just like, Ethan pauses briefly to look at her and then they have intercourse, like I wonder if anything happened in between that, like if there was any indication that like this is leading to intercourse, right, here on paper there doesn't seem like there is." Students wanted to know more about that time period because they identified it as a time to talk about the progression of sexual activity. For example, Priscilla noted:

Umm . . . uh . . . I guess ummm [*about 15 second pause*] I guess I would like to know . . . what like the whole Ethan pauses briefly to look at her and then they have intercourse. Like . . . that . . . in, in my own personal relationships, that's a time when like . . . a verbal no or yes would occur. Like, because I know umm that like the verbal looking is a cue for almost like a non-verbal question, but because they're not in a relationship and because like they, they don't, like this is clearly the first time they are doing something, I feel like that would have been a time to maybe do that, but clearly that didn't happen. So, they probably shouldn't have proceeded.

Respondents were looking for some kind of verbal exchange between Ethan pausing and Olivia and Ethan having intercourse. If a verbal exchange had happened at that pause, then the situation could still be salvaged as consensual. Interestingly, students were looking for some kind of verbal utterance within this situation, though several noted in their definitions that verbal communication did not always seamlessly fit into the progression of sexual behavior.

In their responses to this scene, the participants were focused on Ethan, as opposed to Olivia, and in particular wanted a verbal signal. There was an expectation that Ethan would say something and the pause was a time for Ethan to do just that. Emma wanted to know if Ethan said anything when he paused, "Umm . . . I would say if he said anything like he, it just says he

paused, so I don't think he did." They were curious if Ethan had checked in with Olivia at all. For instance, Todd remarked, "Umm, but, then also I'd like to know if Ethan said anything or did anything I guess in that also in that same time span of any kind of confirmation or any kind of checking in like, hey is this okay?" Although not explicitly stated, responses like Todd's reiterated student definitions where the person initiating the behavior is the one to ask for consent. It was Ethan who was expected to be the one who indicated his consent by asking and that would then give Olivia the opportunity to respond.

There was also the issue of the progression of sexual activity from kissing to intercourse without any kind of on-going enjoyment signals. Within the vignette, after kissing and removing Olivia's dress, Ethan and Olivia have intercourse. Lauren seemed to think that there had to be more between pausing and intercourse: "Umm, it kind of goes really quickly where it says, 'Ethan pauses briefly to look at her and then they have intercourse.' . . . Umm, that part, I just kind of wonder what happened, like umm, was there any more leading up to the intercourse?" It seems that respondents were noting what they felt was the non-normative progression of sexual acts within the situation. During the interviews, respondents such as Ryan noted that sexual behavior largely followed the norms of kissing, then making out, then oral sex, and lastly intercourse. When discussing his own indication of consent Ryan shared:

And then she like invited me to go back to her place with some of her friends and like one of my brothers was talking to her friends so like we went back to her place together. Umm, then like we went in her room. We made out. We started like taking her clothes off, my clothes off, stuff like that . . . Then, she like went down on me and like I went down on her, and then we had sex. Basically.

The progression of sexual behavior within the vignette, or the lack thereof, left a certain uncertainty among students because it did not follow the standard progression of sexual acts that

students noted as a form of consent. As a result, respondents questioned the continuation of sexual activity.

Gender, Sexual Orientation, Relationship Status, and Employing Consent

My study begins to answer Beres' (2007) call for research to understand how women and men engage in consensual sexual encounters. Women in my study gave more variation in the ways that they indicate consent than men respondents. Contrary to previous literature (Jozkowski et al. 2014) that sees women as only responding to yes to their partners, women in my study identified indicating consent by verbally asking questions of their partner, both explicit and non-explicit; non-verbally continuing the progression of physical activity; and responding to their partner's questions and giving affirmation of enjoyment. Women's indication of consent was much more complex and varied than the "just say no" approaches towards sexual activity of education programs on college campuses (Burkett and Hamilton 2012). Four men respondents indicated non-verbal continuation of physical activity as their indication of consent. Similar to Humphrey's (2007) finding, men preferred to assume consent until stated otherwise. They were less vocal than previous literature would have one believe (Jozkowski et al. 2014). The differences in responses could possibly have something to do with the sexual orientation of participants. All men respondents identified as heterosexual, but not all of the women. Ten out of seventeen women identified as heterosexual. For a complete listing of the women's sexual orientation see Table 1 in the methods section of this thesis.

Women also reported the continuation of physical activity until a partner says no as an indication of consent. Unlike the men, women such as Stephanie and Emma, reported that it easier for them to recall instances where they said no as an indication of their consent. Part of

this had to do with the fact that Stephanie's indication of consent revealed that she was not the one initiating sexual behavior. Both Stephanie and Emma recalled instances where men were being too "pushy" and they had to stop the progression of sexual activity. Stephanie's and Emma's responses evoke a heteronormative, gendered sexual script where women consent by rejecting or failing to reject men's initiation of sexual activity (Beres 2007). Yet, David also identified his consent process as saying no, though he was the only man to do so. David's response challenges gendered sexual scripts that frame men as sexual instigators with constant consent (Beres 2007).

Respondents indicate responses to my questions that consent within a relationship is different than more casual sexual encounters. Explicit, verbal consent is lost over the course of a relationship. In the beginning of a dating relationship respondents are more likely to indicate that they had verbally indicated consent with their partner. Similarly, Humphreys (2007) found that students believe new relationships required more verbal consent. However, not all of my respondents in dating relationships discussed ever using verbal communication to indicate consent. They did not necessarily describe the dating relationship as consent, but, as Keira captured, "consent was built through that relationship." A number of respondents identified how time together with their partner allowed them to learn their partner's body language. This knowledge made them feel more comfortable with their partner and their perceived ability to read when their partner was consenting to sexual activities. Powell (2010) found a similar reliance on interpretation of a partner's non-verbal signals in dating relationships. As time in the relationship progresses, verbal indication of consent dwindles and respondents become more

reliant on non-verbal continual action to provide their consent. Dylan showcased how the nature of consent changed as his relationship progressed:

But yeah, I guess, not really a lot of verbal . . . Like, in the beginning it was more verbal than it was just kind of doing things and seeing if they were okay with it. But, definitely like, as I've moved on it'd be like you do something, they didn't do anything, like say no or stop or anything like that I would just take that like, okay like, we'll keep going.

Instead of verbal consent respondents became more reliant on non-verbal forms of consent, particularly continuing with physical activity until their partner verbally tells them to stop. Lydia went as far as to say that within her relationship “. . . it's kind of like beginning is consenting.” Lydia described how her and her partner never just make out anymore. Within Lydia's relationship, there had come to be an expectation that sexual activity would progress past making out because of previous progression of sexual activity within past sexual encounters. However, respondents also recognized that consenting verbally can depend on the person in the relationship. Indeed, Skye indicated that she always explicitly verbally communicates about consent with her partner. This could be in part due to the fact that this respondent's relationship began as a hook-up situation and transitioned into a dating relationship.

Alcohol and the Negotiation of Consent within a Sexual Encounter

Respondents consistently mentioned alcohol within their definitions and enactments of sexual consent as it could impede one's ability to interpret enjoyment signals from one's partner. Yet, respondents were divided about what degree of intoxication prohibited one from being able to interpret and perform on-going maintenance within the sexual encounter. Some students explained the ingestion of any substances made it impossible to give consent. For example Zoe said, "Umm, I don't think consent, I don't think you can consent if you're under the influence at all because you're impaired." For respondents like Zoe, sobriety is necessary for a consensual

sexual experience. As Zoe's response illustrates, "In my mind if you're both intoxicated, or if one person's intoxicated, immediately that's not something you can do." However, others felt that as long as the parties were conscious, consent could realistically happen. David observed that short of intoxication to the point of unconsciousness consent can occur, "Again, and I think it comes to a point where once an individual is just like, obviously, blatantly unconscious that there's, there's no possible existence of consent." And still others used more ambiguous terms such as "clear state of mind" and "good decision making capacity" placing their responses somewhere along the continuum between sobriety and unconsciousness. Contrary to respondents who drew a line at any consumption of alcohol, or the lack of consciousness, these students seemed to be uncertain about the point where alcohol impedes the ability to maintain on-going enjoyment signals with one's partner and give consent.

Respondents' concerns with alcohol impeding one's ability to interpret cues from a partner were expressed when given the vignette scenarios. When prompted about what else they would like to know about the sexual encounter after being handed the first vignette, respondents wanted to know if and how much Olivia and Ethan had been drinking. When given the second vignette, which explicitly states that "Olivia and Ethan had been drinking throughout the night and were both intoxicated," respondents still wanted to know how much alcohol Olivia and Ethan had consumed. The presence of alcohol in the second vignette made the situation both simple and yet more complicated for respondents. Respondents who deemed the situation as not consensual, and justified their response based on the presence of alcohol in the situation, later went on to parcel out the level of intoxication within the situation. For them, alcohol does not

necessarily mean no consent. Lydia, who said that a consensual sexual experience had not occurred and explained her response by the presence of alcohol, went on to say this:

And I think that's a case-by-case thing. I don't think you can say that there's a rule, like if someone is like absolutely incoherent, like, okay. But most people don't go to parties and get like that, like, most people might get a little buzz or get a little drunk or whatever. Umm, so, just the fact that they're both intoxicated, like that's not really enough information to be able to say, like, she couldn't give consent or he couldn't give consent or that either of them could have picked up on that.

When further pressed about whether someone can give consent while intoxicated, both those respondents who had cited the presence of alcohol as a reason why the scenario was not consensual and those who did not responded that it was possible to have drunk, even intoxicated, consensual sex. Respondents seemed to be drawing the line for consensual sexual activity at black-out sex. Up until that point of intoxication, they felt it was possible to have a consensual sexual encounter. The following interaction with David sums up students' understandings well:

MK: So, you mentioned the level of intoxication. So can you have drunk consensual sex?

D: Yes.

MK: Can you have intoxicated consensual sex?

D: . . . I would say yes.

MK: Okay. Can you have black-out consensual sex?

D: No.

Respondents believed that it was possible to have "intoxicated" consensual sex because they themselves had experienced it. For instance, Rachel had an intoxicated sexual encounter she labeled as consensual, ". . . based on my own experience of being, the one outlier like sexual encounter that I talked about where I was intoxicated and the other person was intoxicated umm I even though I was intoxicated I felt like I could give consent." Lydia echoed this sentiment, "I . . . heard it taught like any drinking at all makes it impossible to give consent. No it doesn't."

For respondents such as David, Rachel, and Lydia, one can still have consensual sex even if they have been drinking.

Drinking does not automatically mean that an encounter cannot be consensual. However, the point at which to stop sexual activity when both parties have been drinking still seemed blurry among respondents. Respondents seemed to be articulating that consensual sex could no longer occur if people were too "drunk" to have sex. For instance, Todd contemplated, "Yeah, I don't, I just, I think that there's a limit and I think it's different for each person, but like when someone hits a point of being like too drunk then they should not, they just shouldn't have any sex." When asked about the point where one can no longer give consent when alcohol is involved, Skye responded, "But if you're like drunk you're not gonna remember it tomorrow . . . If you're gonna be super hangover . . . You're slurring your words . . . You're slurring your words and you can barely control your body movements, that's too drunk to have sex." In their responses, students were indicating that consensual sexual activity could not take place if a person was close to losing consciousness. Respondents also make a distinction regarding who can be intoxicated and still have consensual sex. Both partners need to be sober or both need to be intoxicated for consensual sex to occur. If one partner was intoxicated and the other was not, then a consensual experience cannot occur. Again, respondents made the distinction with black-out intoxication as Tess attested, ". . . I feel like, if one partner is like, black-out drunk that would matter. Like, they're clearly so intoxicated there is no way they could give consent." If one partner is black-out drunk then consensual sex is off the table.

Respondents' Interpretations of Institutional Definitions

Higher education talks about consent in specific, yet vague terms. Consent, according to most higher education institutions' policies, must be voluntary, agreed upon by every partner, and partners must not be incapacitated. In addition, sexual consent must be granted for a specific activity and gained at each new form of sexual behavior. Sexual consent policies within higher education, such as the university's policy where my participants were enrolled, effectively make assumptions about the nature and progression of sexual behavior. The conditions in which consent cannot happen are also touched upon. A person's silence nor their clothing can give consent. Further, the lack of physical or verbal resistance or the use of coercion of any nature does not equal consent, and an incapacitated person cannot give consent.

Respondents' definitions echoed some of how colleges currently define sexual consent, but they did not always agree with higher education's policies. Respondents' definitions echoed some of how university policy currently defines sexual consent. Students mentioned consent being mutually understood and freely given. Interestingly, the university's policy is somewhat vague about how or what agreement looks like. This vagueness is reflected within the variety of respondents' definitions. Respondents defined consent according to a mixture of verbal and non-verbal terms. The university's policy does not directly state that agreement must be an explicit verbal communication. However, some students seemed to anticipate the necessity of explicit verbal communication. Extending Jozkowski's et al. (2014: 912) finding that students define consent as "explicit communication of agreement," my respondents' definitions of agreement recognized expectations of explicit communication and addressed those expectations within their

definitions. Without prompting, students discussed how explicit communication can be at odds with normative sexual behavior.

Students also modified and pushed back against the meanings of silence and the presence of alcohol within sexual encounters. University policy makes clear that a person's silence does not equal consent. However, a large portion of the students' definitions was continual physical intimacy, at least until a partner expressed hesitancy verbally. In direct opposition to the policy, silence meant consent until stated otherwise. The students' definitions conveyed that consent is enacted until stated otherwise. Some students' definitions of consent were even stricter about alcohol than stated within university policy. Policy states that incapacitated students cannot give consent. However, it does not state that the consumption of any alcohol or substances makes it impossible to give consent. Yet, some students stated that consent requires sobriety.

Shared examples of indications of consent corresponded with some of the university's policy. Students' responses also reflected the same discrepancies between policy and reality as in the students' definitions. The policy states that one must consent at every sexual encounter and with every partner. Students were doing this, but in their own way. Indications of sexual consent for the students fell into two forms: verbal instigations of consent, which were explicit questions and statements and less explicit check-ins and questions, and non-verbal forms of consent in conjunction with a lack of non-verbal no's. However, students were not communicating to me that consent was discussed for each sexual act, as required by the policy. If students were currently engaged in some form of sexual behavior then non-verbal forms of consent were most likely to be used. Non-verbal consent went until it was retracted verbally. This is noteworthy given that the institution's policy explicitly states that consent for one form of sexual activity

does not transfer to another sexual act or activity. However, that was exactly how students were non-verbally consenting to sexual acts and activities. Prior to any sexual behavior, participants were likely to indicate consent verbally. Yet, students did understand and recognize that consent could come to an end for the sexual activity in their non-verbal forms of consent.

Summary and Conclusion

This study begins to untangle how students are indicating and enacting sexual consent within their own sexual encounters. However, it is not without limitations, particularly in representing males. Like the campus, which is predominately composed of women, of the twenty-three respondents, seventeen (74%) were women. Further, there was an over-representation of non-heterosexual women, seven of the seventeen women participants (41%) identified as non-heterosexual. So while this sample gives valuable insight into a sub-population of the campus, it is not comprehensive of the entire student body. Additionally, since there were no incentives to participate in this research, participants tended to have some kind of self-interest or investment in the topic of sexual consent. Some participants identified as resident advisors, peer health educators, or had been sensitized to this issue by their mothers.

Despite these limitations, the major findings from my interviews suggest both agreement and differences in interpretation between institutional policy and students' experiences and interpretation of sexual consent. In agreement with institutional policy, students defined consent as mutually understood and on-going. The parties involved in a sexual encounter have to communicate consent and respond to each other's consent. If consent is not maintained, then it is revoked from the encounter. However, students also differed from institutional policy in how they communicate consent. Students report that continuing consent is communicated both verbally and

non-verbally. In both their own behavior and their responses to the vignettes, respondents rely more on the interpretation of non-verbal cues and interpret silence as consent. Students also vary in their evaluation of to what degree alcohol impedes the interpretation of sexual consent. My findings reflect students' interpretations and modifications of university policy to fit their own sexual behavior within sexual encounters.

My findings suggest directions for future research. Seven of the twenty-three respondents identified as non-heterosexual, so in future research, a larger sample of this subpopulation would be beneficial, especially of non-heterosexual men. Future research may also focus on a developing notion of "male blame fatigue." Men respondents had strong reactions to the sexual situation presented in the vignettes. They were defensive, not so much of Ethan, but of a narrative they identified with male "fault." Men made connections between the vignette scenario and sexual assault cases depicted in the media. They expressed their weariness with the portrayal of young men both verbally and non-verbally.

These findings also suggest ways to draft a more realistic sexual consent policy. Such a policy should be rewritten to take into consideration the heavy reliance on non-verbal cues to indicate consent. It would acknowledge, that in practice, students assume that silence means consent. Understanding consent opens up opportunities within higher education to foster discussion among students regarding healthy relationships and wanted sexual behavior. Better understanding consensual sexual encounters brings society one step closer towards making policy more realistic and credible in order to foster healthy relationships.

APPENDIX A

SCHEDULE OF INTERVIEW QUESTIONS

What is your age?

What is your current gender identity?

How would you classify your sexual orientation? How would you identify your race?

What is your academic major?

What is your current relationship status?

Have you ever heard of the expression “hooking up”?

Tell me your definition of “hooking-up.”

Do you think that your definition of hooking-up differs from other people’s definitions? If yes, how?

There has been a lot of recent attention to the issue of sexual consent. Can you give me your definition of what sexual consent means?

Do you think your definition of sexual consent differs from your friends' definitions of consent? Why do you think it differs? How does it differ?

Is consent necessary for every sexual act?

For example, what about kissing? Do you need consent? Why/why not?

Caressing/ Touching (Groping over clothes)? Do you need consent? Why/why not? Genital

Touching (Touching private parts without clothes)? Do you need consent? Why/why not?

Oral Sex (Anytime someone’s mouth touches another person’s private parts)? Do you need consent? Why/why not?

Vaginal Intercourse? Do you need consent? Why/why not? Anal Intercourse? Do you need consent? Why/why not?

Do you think people in sexual relationships ever talk about consent? Do they talk about it every time? The first time? The time after that?

Why or why not?

To be in this study, you have self-identified as being sexually active. Think about a typical sexual encounter you have had in the past:

How do you indicate consent? What are some of the ways you have indicated consent?

Did the other person acknowledge your consent? How?

Can you give me examples where both parties gave and acknowledged consent?

Have you ever been encouraged by a partner to indicate consent? Have you been discouraged?

Can you give me an example?

Have past partners influenced how you indicate consent with new partners? How so? Can you give me an example?

Can you give me examples where other factors might have influenced your definition of consent?

APPENDIX B

VIGNETTES AND SCHEDULED QUESTIONS

Vignette #1

Olivia is a sophomore at Big University and decides to go out with her friends to a fraternity party. At the party Olivia sees Ethan, a student who is in her philosophy class. They begin talking and after a while Olivia realizes that she has lost track of her friends. Ethan asks her if she is enjoying the party and she replies “not really.” Ethan suggests that they go back to his dorm room to talk. Olivia leaves the party with Ethan. In Ethan's room they continue talking. When the conversation seems to die down, Ethan leans in to kiss Olivia. He continues kissing her and reaches to pull her dress up. Olivia visibly stiffens, but remains silent. Ethan pauses briefly to look at her and then they have intercourse. Olivia leaves Ethan’s dorm a short time later.

Questions: Did a consensual sexual experience occur? Why or why not? Explain.

If you are unsure about the situation, what else would you need to know to be able to define the situation as consensual or non-consensual? Or, what else would you like to know about the situation to define it as consensual or non-consensual?

Why do you need to know that?

Vignette #2

Olivia is a sophomore at Big University and decides to go out with her friends to a fraternity party. At the party Olivia sees Ethan, a student who is in her philosophy class. They begin talking and after a while Olivia realizes that she has lost track of her friends. Ethan asks her if she is enjoying the party and she replies “not really.” Ethan suggests that they go back to his dorm room to talk. Ethan and Olivia have both been drinking throughout the night and are both intoxicated. Olivia leaves the party with Ethan. In Ethan's room they continue talking. When the conversation seems to die down, Ethan leans in to kiss Olivia. He continues kissing her and reaches to pull her dress up. Olivia visibly stiffens, but remains silent. Ethan pauses briefly to look at her and then they have intercourse. Olivia leaves Ethan’s dorm a short time later.

Questions: Did a consensual sexual experience occur? Why or why not? Explain.

If you are unsure about the situation, what else would you need to know to be able to define the situation as consensual or non-consensual? Or, what else would you like to know about the situation to define it as consensual or non-consensual?

Why do you need to know that?

APPENDIX C
CODING SYSTEM

Definitions of hooking-up

Sexual activity included

Level of ambiguity

Differs from their friends

More inclusive

Less inclusive

Definitions of sexual consent

Direct verbal communication

Yes

No

Non-verbal cues

Expressing enthusiasm

Alcohol's involvement

Differs from their friends

More inclusive/direct/clear

Similar

Indications of consent

Verbal

Indicated with some form of verbal communication

Yes

No

Language used

Phrasing used

In the form of a statement

In the form of a question

One partner initiates, one partner responds

Yes

No

Same initiator every time

Reciprocal initiation and response

Timing of verbal communication

Verbal communication happened before any sexual activity

Verbal happened once before vaginal intercourse

Verbal happened continually during a sexual encounter

Indicated with some form of non-verbal communication

Yes

No

How often people in relationships talk about consent

Every time

The first time

The second time

The third time

Etc.

Have past partners influenced how you indicate consent

Yes

No

Other factors influencing consent

Friends

Family – Mom

Media

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